

AUG 17 2006

Appl. No. 10/068,590
Amdt. dated August 15, 2006
Reply to Office Action of May 18, 2006

PATENT**REMARKS/ARGUMENTS**

This Amendment is responsive to the Office Action mailed on May 18, 2006.

Prior to this Amendment, claims 42-72 were pending. In this Amendment, claims 42-51, 61-69, and 72 are amended, and no claims are canceled or added so that claims 42-72 are pending and subject to examination on the merits.

The claims have been amended to clarify the claims. Newly amended independent claim 42 is recited below in "clean" form.

Claim 42. A method comprising:
receiving information relating to two or more
communication networks capable of being used by an individual;
generating a summary availability indicator for the
individual, wherein the summary availability indicator summarizes
the two or more communication networks by indicating that the
individual is present and available to a subscriber if the individual
is present and available on at least one of the communication
networks, and by indicating that the individual is not present and
available if the individual is not present on any of the
communication networks; and
displaying the summary availability indicator to the
subscriber.

Support for claim 42 and the other changes to the claims can be found, for example, at paragraphs [0046]-[0049] of the present application. Paragraph [0049] provides a simple example of an embodiment of the invention that would be encompassed by claim 42 and other claims:

[0049] Furthermore, a large number of inputs for each of an individual's communications devices on the various networks may be processed using the presence detection engine 20 to determine the P&A status of that individual, thus allowing the results to be combined in a single availability indicator. For example, if John Doe has three telephone numbers (e.g., home, work and wireless) and is currently present and available on only one telephone network, the server 12 may notify subscribers of John Doe's information that he is present and available for telephone calls regardless of the particular telephone John Doe is currently capable

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of using. Accordingly, when a subscriber wishes to contact Joe Doe via instant messaging, the server 12 provides the appropriate IM address to the subscriber, taking into account John Doe's preference settings for the subscriber's access group as stored, for example, in the rules and preferences database 64. Thus, embodiments of the present invention may provide a user-friendly interface allowing subscribers to contact individuals without having to be concerned about different communication devices, their addresses and capabilities. Subscribers may instead refer to a single summary indicator and use that information to initiate point-to-point contact.

As explained above, a user, John, can have wireless, home, and work phone numbers, but may only be available at his work phone number. The summary availability indicator may simply indicate that John is available by telephone, and need not distinguish between John's different phone numbers. A subscriber viewing the summary availability indicator need not worry about which specific phone number to dial and the subscriber can simply select the summary availability indicator to initiate point-to-point contact with John. The subscriber does not need to know which phone network is being used to initiate the point-to-point contact with John.

Claims 42-72 are rejected as being anticipated under 35 USC 102(e) by Milewski et al. This rejection is traversed.

Anticipation has not been established, as Milewski et al. fails to teach or suggest, *inter alia*, "generating a summary availability indicator for the individual, wherein the summary availability indicator summarizes the two or more communication networks by indicating that the individual is present and available to a subscriber if the individual is present and available on at least one of the communication networks, and by indicating that the individual is not present and available if the individual is not present on any of the communication networks." Milewski et al. not only fails to teach or suggest this limitation, Milewski et al. actually teaches away from this limitation. For example, in the "Other Findings" section at page 94, 2nd column of Milewski et al., Milewski et al. states that users were able to make phone calls using "live contacts" as well as "other contacts". Thus, Milewski et al. does not describe "summarizing" available communication networks, but describes listing each telephone network for an individual so that a

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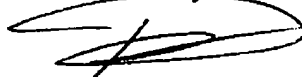
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subscriber can view and choose the telephone network that the subscriber wants to use to contact the individual.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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